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7 Attorneys for Charles Edward Cooper Jr.

8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA
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* * *

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 vs.
14 CHARLES EDWARD COOPER JR.,
15 Defendant.
16

2:14-cr-228-JAD-CWH

**STIPULATION FOR EXTENSION OF
TIME TO FILE OBJECTIONS TO
MAGISTRATE JUDGE'S REPORT &
RECOMMENDATION (CR 45)**
(First Request)

17 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United
18 States Attorney, and Phillip N. Smith Jr., Assistant United States Attorney, counsel for the United
19 States of America, and Rene L. Valladares, Federal Public Defender, and Heidi A. Ojeda, Assistant
20 Federal Public Defender, counsel for defendant CHARLES EDWARD COOPER JR., that the
21 Objections to the Magistrate Judge's Report & Recommendation, be vacated and set to a time and
22 date convenient to this Court. However, in no event earlier than two weeks.

23 This Stipulation is entered into for the following reasons:

- 24 1. Counsel for the defendant received the transcript for the evidentiary hearing on March
25 6, 2015. The additional time is needed for counsel to review the transcript and discuss the issues with
26 her client.
- 27 2. The defendant is incarcerated and does not object to the continuance.
- 28 3. The parties agree to the continuance.

1 4. The additional time requested herein is not sought for purposes of delay, but merely
2 to allow the undersigned counsel for the defendant time to fully brief the objections.

3 5. Additionally, denial of this request for continuance could result in a miscarriage of
4 justice. The additional time requested by this Stipulation is excusable in computing the time within
5 which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States
6 Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section
7 3161(h)(7)(B)(i), (iv).

8 This is the first request to continue filed herein.

9 DATED this 12th day of March, 2015.

10 RENE L. VALLADARES
11 Federal Public Defender

DANIEL G. BOGDEN
United States of America

12 /s/ Heidi A. Ojeda
13 By: _____
14 HEIDI A. OJEDA
 Assistant Federal Public Defender
 Counsel for Defendant

12 /s/ Phillip N. Smith Jr.
13 By: _____
14 PHILLIP N. SMITH JR.
 Assistant United States Attorney
 Counsel for the Plaintiff

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

2:14-cr-228-JAD-CWH

Plaintiff,

FINDINGS OF FACT, CONCLUSIONS OF
LAW, AND ORDER

vs.

CHARLES EDWARD COOPER JR.,

Defendant.

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Counsel for the defendant received the transcript for the evidentiary hearing on March 6, 2015. The additional time is needed for counsel to review the transcript and discuss the issues with her client.

2. The defendant is incarcerated and does not object to the continuance.

3. The parties agree to the continuance.

4. The additional time requested herein is not sought for purposes of delay, but merely to allow the undersigned counsel for the defendant time to fully brief the objections.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excusable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excusable under the Speedy Trial Act, title 18, United States Code, Section § 3161 (h)(7)(A), when the considering the factors under Title 18, United States Code, § 3161(h)(7)(B)(i), (iv).

ORDER

IT IS FURTHER ORDERED that the objections to the Magistrate Judge's Report & Recommendation currently scheduled for March 14, 2015, be vacated and continued to **March 30, 2015.**

Dated: March 19, 2015.


UNITED STATES DISTRICT JUDGE